

UNITED STATES DISTRICT COURT  
SOUTHERN DISTRICT OF NEW YORK

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INTERNATIONAL BROTHERHOOD OF  
TEAMSTERS, AIRLINE DIVISION,

No. 20 CV 9724-LTS

Plaintiff,

-against-

AIR INDIA, LTD,

Defendant.

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LAURA TAYLOR SWAIN, DISTRICT JUDGE:

ORDER

The Court has received the Plaintiff's motion for a preliminary injunction. The papers do not include a certification pursuant to Paragraph A.2.b. of the Individual Practices Rules of the undersigned. That Rule provides:

**b. Informal efforts to resolve issues required.**

**(i) Pre-motion communications.**

(A) In civil cases, prior to making a motion of any type, and prior to requesting a conference on any discovery issues, the parties must use their best efforts to resolve informally the matters in controversy. Such efforts must include, but need not be limited to, an exchange of letters outlining their respective legal and factual positions on the matters and at least one telephonic or in-person discussion of the matters.

(B) If a motion pursuant to Fed. R. Civ. P. 12(b)(6) or 12(c) is contemplated, the plaintiff or counterclaimant must indicate whether it wishes to amend the subject pleading prior to motion practice, and the parties must consider in good faith a stipulation permitting such amendment.

**(ii) Certification in notice of motion.** If a motion or a discovery conference request remains necessary, the notice of motion or written discovery conference request must include a separate paragraph certifying in clear terms that the movant or requesting party has used its best efforts to resolve informally the matters raised in its submission. If the motion is one pursuant to Fed. R. Civ. P. 12(b)(6) or 12(c), the certification must also state whether the challenged pleading has been amended in response to the arguments raised in the motion.

The Court finds that such prior communication is often useful in facilitating settlement, consensual resolution of the subject matter of the motion or, at a minimum, narrowing of issues presented for decision by the Court. It is hereby

ORDERED, that Plaintiff must file the required certification promptly.

SO ORDERED.

Dated: New York, New York  
December 7, 2020

/s/ Laura Taylor Swain  
LAURA TAYLOR SWAIN  
United States District Judge